

Foreign Corrupt Practices Act

Practical Tips on How to Minimize Your Risk of Violation

Tuesday, 11 November 2008, 8.45am – 5.30pm
Traders Hotel, Singapore

To date no Asian company has been penalised under the Foreign Corrupt Practices Act ("FCPA"). However the number of multi-national companies penalized under the Act for violations incurred in Asia is disproportionately large. Recently Siemens was fined over EUR660 million under the FCPA with more fines to be levied by the Securities Exchange Commission and tainted profits to be disgorged in addition to the EUR650 million paid in legal and consulting fees to date with the possibility of an additional EUR650 million for such. It is simply a matter of time before an Asian company is penalised under the Act.

Mark Mendelsohn, Deputy Chief, Fraud Section, Criminal Division from the US Department of Justice ("DOJ") mentioned that violations can be reported on hotlines from anywhere in the world so its possible for a disgruntled compliant in Bangladesh, for instance, to blow the whistle by simply dialling direct to the DOJ.

With the likes of Lenovo buying IBM, the tide has turned and Asian companies are now buying western companies. Not only do the Asian companies need to ensure their house is in order with regards to FCPA but they also need to ensure that in addition to conducting financial, legal and integrity due diligence on their western targets they should also be conducting a FCPA due diligence so they don't inherit any liabilities for FCPA violations of the target.

Our conference will provide you with practical knowledge about the FCPA and how it affects your business, plus tips on how to minimise your risk of FCPA violations and where violations have occurred, what steps you can take.

Enjoy an early bird
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when you register by
**1 November
2008!**

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Workshop Programme

The Seminar Moderator

Abigail Cheadle, Partner, KORDAMENTHA

Live Demonstration of World-Check's Database on Politically Exposed Person and Country Risk Profiling

Jay Jhaveri, Head, WORLD-CHECK, ASIA

8.30am Registration

8.45am **Review of the FCPA and Local Laws**

Chris Muessel
Partner
DUANNE MORRIS

9.30am **Recent Cases Examined**

Harvey Kelly
Managing Director
ALIX PARTNERS

10.15am Morning Tea

10.45am **Latest FCPA and Anti-Bribery News, Developments and Trends from the US Government**

Commentary From The US
Department of Justice

11.30am **Best Practice for Conducting a Corruption Investigation**

Keith Williamson
Director
ALIX PARTNERS

12.15pm **How to Establish Internal Controls to Manage FCPA Compliance and Best Practice for Policies and Procedures**

Tan Chin Shiang
Senior Manager
PROTIVITI

1.00pm Lunch

2.00pm **Using Data Analytics to Locate Red Flags of Corruption**

Andre Menezes
Director
KORDAMENTHA

2.45pm **Case Study**

Compliance Enhancements Post Investigations

3.30pm **Monitoring Deferred Prosecution Agreements**

Keith Williamson
Director
ALIX PARTNERS

4.00pm Afternoon Tea

4.30pm **Conducting FCPA Reviews in M&A Transactions**

5.30pm Question & Answer

Target Audience

- Corporate Counsel
- Lawyers
- CEOs
- CFOs
- Heads of Internal Audit
- Heads of Compliance
- Heads of Sales & Business Development
- Heads of Risk



About the Speakers

Chris Muessel, Partner, DUANNE MORRIS

Chris practices in the area of corporate law with a focus on international law in Southeast Asia. He has experience with mergers and acquisitions, international trade, banking and commercial law, with in-country experience in Vietnam, Cambodia, Mongolia and Japan.

Chris has advised a US-based insurer (AIG) on political risks related to a 715 MW gas fired combined-cycle BOT power plant to be constructed in Ba Ria Vung Tau Province, Vietnam. He has also advised a Japanese-based insurer (NEXI) on a time charter (and related documentation) for a first-of-its-kind \$170 million limited-recourse project. Chris is a 1988 graduate of Georgetown University Law Center and he was previously with Baker & McKenzie and Arent Fox Kintner Plotkin & Kahn, PLLC before joining Duanne Morris.

Harvey Kelly, Managing Director, ALIX PARTNERS

Harvey is a managing director responsible for the firm's New York financial Advisory Services practice. He has over 25 years of experience as a financial consultant specializing in corporate investigations, financial accounting and reporting, litigation consulting, and auditing.

Harvey has led independent board investigations into some of the most prolific and complex financial reporting fraud cases ever. In connection with such matters, he has consulted with clients on SEC reporting implications, restatement of previously issued financial

information, loss recovery efforts and recommended improvements in internal controls. Among other issues, he has investigated financial reporting errors and fraud, potential violations of the Foreign Corrupt Practices Act, stock option practices and related party transactions.

Keith Williamson, Director, ALIX PARTNERS

Keith Williamson is an experienced forensic accountant with 13 years of investigation, litigation support, expert witness and auditing experience working with companies, lawyer and regulators all around the world. Keith joined Alix Partners from Deloitte & Touche LLP where he worked in the Forensic & Dispute Services practice, specializing in investigating fraud, corruption and regulatory breaches in Europe and Africa having also spent 3 years in Asia based in Hong Kong.

In recent years, Keith has predominantly been involved in large scale global investigations, asset tracing exercises and reviews on behalf of US, European and Asian owned corporations facing fraud, corruption and regulatory issues across a broad spectrum of industries, including financial institutions, energy, media and advertising and healthcare.

Andre Menezes, Director, KORDAMENTHA

André is a data analytics specialist with experience across a wide range of industries, including financial services, aviation, transport, telecommunications and retail. With over 15 years experience in data analytics, assurance and advisory services in both consulting and

corporate roles, André's data analytics skill set extends across areas such as litigation support, investigation lead generation, suspicious activity analysis, data exploration, data assurance and process improvement.

Prior to joining KordaMentha, André worked at Qantas Airways Ltd in the Risk & Assurance Segment responsible for data analytics in support of audits and investigations. Before Qantas, André was a Director with Deloitte's Forensic Technology, responsible for the provision of data analytics solutions for clients in Australia and abroad.

Tan Chin Shiang, Senior Manager, PROTIVITI

Chin Shiang is a Senior Manager with Protiviti and she is in charge of various internal audits co-sourcing and outsourcing as well as Sarbanes Oxley and J-SOX engagements for multinationals as well as Singapore listed entities. She has also undertaken enterprise risk assessments, risk management audit as well as diagnostic review for FCPA.

During her previous employment as an internal audit manager with NYSE listed telecommunication company, Lucent Technologies, she has accumulated extensive internal audit experience in operational, compliance including FCPA and financial audits in various Asia Pacific countries including China, Taiwan, India, South Korea, Japan, Australia, Thailand, Malaysia and Singapore as well as European cities such as Amsterdam and Dublin. She also pioneered and led testing efforts for Lucent's Sarbanes-Oxley compliance program in the Asia Pacific region.

Registration Form (Please read booking conditions)

YES! I would like to register for: FOREIGN CORRUPT PRACTICES ACT

PRICE

- Workshop fee **\$750 + 7% GST**
 Early Bird Fee (register by 1 November 2008) **\$690 + 7% GST**

Closing date of registration: 7 November 2008

DELEGATE DETAILS

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BOOKING CONDITIONS

1. Registrations will be confirmed and a seat reserved for you upon receipt of your Registration Form.
2. If you are unable to attend the conference, a substitute delegate is welcome at no extra charge. Alternatively, your registration can be credited to a future conference, with a validity of 6 months.
3. For cancellations received in writing more than 1 week prior to the conference, a full refund less S\$100 administrative charge will be given. If payment of conference fee has not been made, an invoice for S\$100 will be issued for your settlement.
4. For cancellations received in writing less than 1 week prior to the conference, no refund will be given. If payment of conference fee has not been made, an invoice for the full amount will be issued for your settlement.
5. All speakers and topics are correct at the time of printing. LexisNexis reserves the right to substitute speakers and cancel or alter the content and timing of the programme for reasons beyond its control.
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